

**IN THE UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF OHIO – Western Division at Cincinnati**

<b>HUNTER DOSTER, et. al.</b>	:	Case No. 1:22-CV-84
Plaintiffs	:	
<b>v.</b>	:	
<b>FRANK KENDALL, et. al.</b>	:	
Defendants	:	

**DECLARATION OF CHRISTOPHER WIEST**

Pursuant to 28 U.S.C. §1746, the undersigned, Christopher Wiest, makes the following declaration, under penalty of perjury under the laws of the United States of America, that the facts contained herein are true and correct to the best of my knowledge and belief and that such facts are made based on my personal knowledge:

1. My name is Christopher Wiest, and I am one of the Counsel for Plaintiffs.
2. Attached hereto are true and accurate copies the Curriculum Vitae of myself, my co-counsel, and/or their firms. We have experience in both civil rights matters and class action matters, and are fully prepared to represent the class.

Pursuant to 28 U.S.C. §1746, I declare under penalties of perjury under the laws of the United States of America that the foregoing Declaration is true and correct to the best of my knowledge and belief and that such facts are made based on my personal knowledge.

Executed on 3-2-2022.

  
\_\_\_\_\_  
Christopher Wiest

**Christopher D. Wiest**  
25 Town Center Blvd, Suite 104  
Crestview Hills, KY 41017  
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*chris@cwiestlaw.com*

## **EXPERIENCE**

**Chris Wiest, Attorney at Law, PLLC, Crestview Hills, Kentucky**

### **Litigation:**

-Federal and constitutional law matters, including:

- Serve as lead or co-counsel in numerous civil rights cases including:
  - *Massie v. Pelosi*, 1:21-cv-02023 (DCD 2021) (Representation of 3 members of Congress in challenge to fines under the 27<sup>th</sup> Amendment and other federal constitutional claims);
  - *Mazer v. D.C. Department of Health*, 1:21-cv-01782 (DCD 2021) (Constitutional challenge to DC's minor vaccination consent law based on the fundamental right to parent and make medical decisions for minors);
  - *Roberts v. Neace*, 958 F.3d 595 (6<sup>th</sup> Cir. 2020) (obtained injunction pending appeal in a published decision that found a First Amendment Free Exercise violation, and re-opened in person worship in the Commonwealth of Kentucky in the midst of COVID-19, in a decision that has since been cited repeatedly by the United States Supreme Court);
  - *Roberts v. Neace*, 457 F. Supp.3d 595 (EDKY 2020) (finding Governor's COVID-19 travel ban unconstitutional and enjoining same);
  - *Ramsek v. Beshear*, 468 F. Supp.3d 904 (EDKY 2020) (finding Governor's gathering ban, as applied to political gatherings, unconstitutional under the First Amendment); *Ramsek v. Beshear*, 989 F.3d 494 (6<sup>th</sup> Cir. 2021) (finding Governor's appeal moot).
  - *Kohler v. City of Cincinnati*, 2021 U.S. Dist. LEXIS 76457 (SDOH 2021) (reverse race discrimination case under the Equal Protection Clause, challenging a 40-year-old race and sex quota consent decree in Cincinnati police hiring);
  - *Hils, et. al. v. Davis, et. al.*, 1:21-cv-00475 (SDOH 2021) (Freedom of the Press case involving right of police to record their interviews with the City of Cincinnati Citizen Complaint Authority);
  - *Cooperrider v. Beshear*, 3:21-cv-00012 (EDKY 2021) (representation of private citizens who petitioned for the impeachment of the Governor in First Amendment challenge to the punitive imposition of "costs" and attorney fees as punishment for doing so);
  - *Beshear v. Acree*, 615 SW 3d 780 (Ky. 2020) (representation of business in challenges under state constitutional to Governor's emergency executive powers).
  - *Sweeney v. Crigler*, 457 F.Supp.3d 577 (EDKY 2020) (obtained preliminary injunction in favor of third parties and independent candidates upon challenges to Kentucky's ballot access laws);
  - *Daly v. Neil*, 1:18-cv-00346 (SDOH 2018) (lead counsel, Second Amendment challenge to Ohio's concealed carry requirement for a firearm in a private motor vehicle);
  - *Brooksbank v. Koch*, 3:16-cv-668 (WDKY 2016) (served as lead trial counsel in 3-day jury trial against Kentucky State Trooper for violations of the Fourth and First Amendments, obtained verdict in client's favor);

- *Winter v. Wolnitzek*, 834 F.3d 681 (6<sup>th</sup> Cir. 2016) (lead counsel in a successful First Amendment challenge to Kentucky's Judicial Canons);
- *Schickel v. Dilger*, 2017 U.S. Dist. LEXIS 86555 (EDKY 2017) (lead counsel, First Amendment challenge to campaign finance and legislative ethics laws);
- *Russell v. Grimes*, 784 F.3d 1037 (6<sup>th</sup> Cir. 2015) (lead counsel, First Amendment Electioneering case);
- *Hunter v. Hamilton County, et. al.*, 1:15-cv-00540 (SDOH 2015) (lead counsel, defense of private attorneys retained by county to represent former judge in wide-ranging civil rights claims against attorneys and judges by that former judge);
- *USA v. \$11,000.00 in United States Currency*, 2:14-cv-00125, EDKY 2014 (serve as co-counsel with Institute for Justice attorneys on challenge to civil asset forfeiture by the United States; obtained the funds in question for the client as a resolution to the case and national press shut down civil asset forfeiture for approximately a year);
- *Brown, et. al. v. Kentucky LRC, et. al.*, EDKY, 2:13-cv-0068 (lead counsel, Kentucky redistricting suit);

-Class Action Experience:

- *Capannari et al v. Glemmo et al*, SDOH 1:13-cv-00883 (Defense of class action claims);
- *Mohamed Abdellahi, et. al. v. River Metals Recycle*, Campbell KY Circuit Case No. 13-CI-00095 (representation of Plaintiff class; class certified);
- *Gillum v. Boone Co. Board of Education, et. al.*, Boone KY Circuit Case No. 21-CI-00161 (representation of Plaintiff class; matter mooted due to change in law prior to certification);
- *Andrew Vance v. Whiting-Turner/Kokosing Joint Venture*, Boone KY Circuit Case No. 20-CI-00574 (representation of Plaintiff class; court determined that commonality/typicality was not met, denial of certification being appealed);
- *Roberts v. Neace*, 958 F.3d 595 (6<sup>th</sup> Cir. 2020) and *Ramsek v. Beshear*, 468 F. Supp.3d 904 (EDKY 2020) were filed as class actions, but certification was unnecessary because the District Court/Sixth Circuit extended injunctive relief statewide.

Past Experience:

**Thompson Hine, LLP**, Cincinnati, Ohio.  
Associate, September, 2005-July, 2012.

**Ohio Attorney General's Office**, Columbus, Ohio.  
Assistant Attorney General, September 2004-2005.

**EDUCATION**

**University of Cincinnati College of Law**, Cincinnati, Ohio.  
J.D., May 2004, *Order of the Coif*.

**Honors and Activities:**

-*University of Cincinnati Law Review*; Editorial Board 2003-04; Associate Member 2002-2003.

-Elected to the *Order of the Coif*.

**University of Cincinnati College of Business**, Cincinnati, Ohio.  
Bachelor of Business Administration, December, 2000.

**ADMISSIONS**

Supreme Court of Ohio, 2004

Supreme Court of Kentucky, 2005

U.S. Court of Appeals for the D.C. Circuit, 2004

U.S. Court of Appeals for the Sixth Circuit, 2004

U.S. District Court for the Northern District of Ohio, 2004

U.S. District Court for the Southern District of Ohio, 2005

U.S. District Court for the Eastern District of Kentucky, 2006

U.S. District Court for the Western District of Kentucky, 2006

U.S. District Court for the D.C. District, 2021



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## **Firm Resume**

### **Class Action Practice Group**

With attorneys across the country, Siri & Glimstad LLP represents clients from coast to coast in class actions, mass torts, and individual actions in state and federal courts. Utilizing decades of experience at major global law firms, we tackle each dispute with a sophisticated, strategic approach, and we fight hard for every one of our clients.

## **Attorney Profiles**

### **Aaron Siri Managing Partner**

Aaron Siri is the Managing Partner of Siri & Glimstad LLP and has extensive experience in a wide range of complex civil litigation matters, with a focus on civil rights, class actions, and commercial litigation.

Mr. Siri has successfully litigated numerous civil rights cases, prosecuted class actions against large corporations resulting in payments to hundreds of thousands of Americans, and has acted as counsel to clients in multiple commercial disputes exceeding one billion dollars, including regarding Oracle Team's challenge for the America's Cup and the collapse of the World Trade Center.

Prior to founding Siri & Glimstad, Mr. Siri was a litigation attorney at Latham & Watkins for over five years. Before Latham, Mr. Siri clerked for the Chief Justice of the Supreme Court of Israel from 2004-2005 where he advised the Chief Justice of relevant American, English (including Commonwealth Countries), and International Law precedents for cases of first impression.

Mr. Siri has also been involved in various pro-bono matters, including representation of asylum applicants, housing discrimination victims, and non-profit organizations in tenant-landlord disputes, as well as being chosen as a Frank C.

Newman delegate to present a paper he authored before the United Nations Human Rights Sub-Commission.

Mr. Siri earned his law degree at the University of California, Berkeley School of Law where he received four Prosser Prizes and ten High Honors. He was also the Editor-in-Chief and founder of the Berkeley Business Law Journal, which he developed into a nationally recognized publication, and was ranked as the leading commercial law journal in the country.

Prior to law school, Mr. Siri was an auditor at Arthur Andersen LLP, where he examined internal controls and audited corporate documents for private and public micro-cap technology companies. Mr. Siri is a Certified Public Accountant and an attorney admitted in federal and state courts across the country.

Mr. Siri is regularly interviewed on television, including by Fox News and Newsmax TV, for his expertise regarding certain legal issues. He has also been published in the Washington Post, Stat News, and Bloomberg.

**Mason A. Barney**  
**Partner**

Mason A. Barney is an experienced trial attorney who for the past decade has represented large and small companies, along with individuals, in complex commercial litigations. Mr. Barney also applies his experience as a litigator to assisting his clients in transactional matters.

Mr. Barney received his J.D., summa cum laude from Brooklyn Law School, in 2005. He served as a law clerk to the Honorable David G. Trager in the U.S. District Court for the Eastern District of New York. After clerking, he was a member of the litigation departments at Latham & Watkins LLP and then Olshan Frome Wolosky LLP for a total of ten years. Before law school, Mr. Barney earned his B.A. from Bowdoin College, where he double majored in Computer Science and Studio Art, and after college he served as a lead database developer for three years at a successful Internet start-up in Washington D.C.

Mr. Barney has appeared in the New York Super Lawyers Rising Stars list, a Thomson Reuters lawyer rating service for lawyers under 40. In addition to his commercial practice, Mr. Barney was recognized by the New York Legal Aid Society for his outstanding work representing poor and indigent individuals in pro

bono matters. Such matters concerned prisoners' rights, immigration, and special education.

Mr. Barney has also published a numerous articles concerning a variety of legal issues. These include authoring or co-authoring: *The FBI vs. Apple: What Does the Law Actually Say?*, Inc. Magazine (February 2016); *Can Lawyers Be Compelled to Produce Data They Compile? An Emerging Front in the Trenches of e-Discovery Battles*, Bloomberg BNA (May 2015); *Tellabs v. Makor, One Year Later*, Securities Law 360 (July 2008); *Not as Bad as We Thought: The Legacy of Geier v. American Honda Motor Co. in Product Liability Actions*, 70 Brooklyn L. Rev. 949 (Spring 2005). Mr. Barney served as an adjunct professor at the City University of New York, where he taught Education Law in its graduate studies program, and separately has presented continuing legal education instruction regarding the Foreign Corrupt Practices Act.

**Elizabeth Brehm**  
**Partner**

Elizabeth Brehm graduated from Boston University with a Bachelor of Science and earned her master's degree from Long Island University at C.W. Post. She attended Hofstra Law School and obtained a Juris Doctorate, graduating *magna cum laude*, in 2008.

After law school, Ms. Brehm spent a year at Winston & Strawn LLP where she focused on products liability litigation. For nine years prior to joining Siri & Glimstad, Ms. Brehm worked for a New York law firm where she focused on antitrust class action lawsuits, health care fraud, and qui tam and whistleblower litigations.

**Nicholas Armer**  
**Associate**

Nicholas Armer received his J.D. from Loyola Law School of Los Angeles in 2019. While attending law school, Mr. Armer served as the senior technical editor of the Loyola of Los Angeles International and Comparative Law Review. Prior to joining Siri & Glimstad, Mr. Armer was a defense-side attorney at Morgan, Lewis & Bockius LLP. Additionally, Mr. Armer completed an externship

with the Honorable S. James Otero (Ret.) in the U.S. District Court for the Central District of California. Before law school, Mr. Armer earned his B.A. in Economics with Honors from Loyola Marymount University.

Mr. Armer has been published in the Daily Journal and on JD Supra for articles related to occupational safety and health and COVID-19 laws. Mr. Armer also served as an editor for a chapter on occupational safety and health laws for a Lexology publication.

**Ursula Smith**  
**Associate**

Ursula Smith graduated from University at Albany, SUNY with a Bachelor of Science graduating *summa cum laude*. She attended Northeastern University School of Law and obtained a Juris Doctorate, graduating in 2013.

After law school, Ms. Smith served for seven years as a United States Navy Judge Advocate where she primarily focused on intelligence law and policy. Prior to joining Siri & Glimstad, Ms. Smith worked as an Assistant United States Attorney in the Southern District of Texas where she focused on immigration and trafficking crimes.

Prior to law school, Ms. Smith was an intelligence officer in the United States Navy and a mathematical statistician for the United States Census Bureau.

**Wendy Cox**  
**Associate**

Prior to joining Siri & Glimstad, Ms. Cox served for 21 years in the United States Army as an Army Nurse Corps officer and as an Army Judge Advocate. As a nurse corps officer, Ms. Cox worked in several clinical settings to include a pediatric unit, a specialty surgical unit, and an orthopedic surgical unit. During her last year as an Army Nurse Corps officer, she taught Army medics in basic life saving skills before being selected by the Army to attend law school. After graduating law school in 2005, Ms. Cox prosecuted soldiers, advised on operational law issues, taught Constitutional Law at West Point, and advised senior leaders on a variety of legal issues. Following her retirement from the United



States Army in 2018, she went on to continue serving soldiers as an attorney for the Office of Soldiers' Counsel.

Wendy Cox graduated cum laude from the State University at Buffalo Law School in New York and summa cum laude from Norwich University with a Bachelor of Science in Nursing. She went on to get her Master of Laws (L.L.M.) degree in Military Law in 2008.

### **Catherine Cline Associate**

Catherine Cline has extensive experience in a wide range of civil law, including constitutional, administrative, employment, and election law. Prior to joining Siri & Glimstad, Ms. Cline served as a judicial law clerk for judges in the U.S. District Court for the Middle District of Pennsylvania, the Commonwealth Court of Pennsylvania, and the Supreme Court of Pennsylvania.

Ms. Cline attended law school on a full tuition scholarship, during which time she served as the Editor-in-Chief of the law review and as intern for a U.S. District Court Judge in the Middle District of Florida. Before attending law school, Ms. Cline received her Bachelor of Arts in Economics with a Minor in Business and the Liberal Arts from Penn State University and worked in the Tax Credit Division of the Pennsylvania Department of Community and Economic Development

### **Notable Class Actions Handled By Siri & Glimstad LLP**

*In re: Herff Jones Data Breach Litigation*, Case No. 1:21-cv-01329 (S.D. Ind.) (obtained preliminary approval of a class settlement agreement that includes a settlement fund of \$4,350,000 and, separate from the settlement fund, requires the defendant to pay for data security).

*Buchanan v. Sirius XM Radio, Inc.*, Case No. 3:17-cv-00728 (N.D. Tex.) (appointed co-class counsel in a case alleging violations of the TCPA which resulted in a settlement of \$25,000,000, plus free satellite radio service).

*Thomas v. Dun & Bradstreet Credibility Corp.*, Case No. 15-cv-3194 (S.D. Cal.) (appointed co-class counsel in a case alleging violations of the TCPA which resulted in a settlement of \$10,500,000).

*Gatto v. Sentry Services, Inc., et al.*, Case No. 13 CIV 05721 (S.D.N.Y.) (appointed co-class counsel in a case involving ERISA claims relating to an ESOP which resulted in a settlement of \$11,138,938).

*Kindle v. Dejana*, No. 14-cv-06784 (E.D.N.Y.) (appointed co-counsel for plaintiffs in an ERISA matter filed as a class action involving breaches of fiduciary duty related to the management and termination of an ESOP which settled after the beginning of trial for \$1,080,000 for the class).

**Thomas B. Bruns**

Bruns, Connell, Vollmar & Armstrong, LLC  
4750 Ashwood Drive, Suite 200  
Cincinnati, OH 45241  
513-312-9890/513-800-1263 Fax  
[tbruns@bcvalaw.com](mailto:tbruns@bcvalaw.com)

**EXPERIENCE:**

**Thomas B. Bruns, Bruns, Connell, Vollmar & Armstrong, LLC**

Partner from September 2016 to present

**LITIGATION:**

Specifically, I have handled, and am handling, numerous constitutional matters in both state and federal court, including:

- *Massie, et al. v. Pelosi, et al.*, Case No. 1:21-cv-02023 (D.D.C.) (Counsel for Plaintiffs in pending First Amendment case including symbolic speech among other civil rights).
- *Ramsek v. Beshear*, 468 F. Supp. 3d 904 (E.D. Ky. 2020) (Counsel for Plaintiff in a successful First Amendment challenge to a ban on political protest);
- *Schmidt v. Krikorion*, 2010 CVC 01217, Clermont Cty (Counsel for Defendant in First Amendment case that included Supreme Court appeal on issue of Congressional Privilege);
- *Russell v. Grimes*, 784 F.2d 1037 (6<sup>th</sup> Cir. 2015) (Counsel for Plaintiff in First Amendment Electioneering case);
- *Winter v. Wolnitzek*, 834 F.3d 681 (6<sup>th</sup> Cir. 2016) (Counsel for Plaintiff in First Amendment challenge to Judicial speech prohibitions);
- *Libertarian National Committee, Inc., et al. v. Dr. Terry Holiday, et al.*, 3:14-cv-00063-GVFT, 5:15-cv-00212-KKC, United States District Court, Eastern District of Kentucky, Central Division at Frankfort (Counsel for Plaintiff in First Amendment challenge to campaign finance and legislative ethics laws);
- *Elouardighi, et al. v. Pedcor Management Corp.*, 13CV83929, Warren County (Counsel for Plaintiffs in civil rights case involving racial discrimination);
- *Campbell, et al. v. Village of Woodlawn, Ohio, et al.*, 1:04CV325, U.S. District Court for the Southern District of Ohio (Counsel for a Defendant in §1983 case involving excessive use of force);
- *Daly v. Neil*, SDOH, 1:18-cv-00346 (Counsel for Plaintiffs in Second Amendment challenge to Ohio's concealed carry requirement for a firearm in a private motor vehicle);
- *Russell Brooksbank v. Koch*, 3:16-cv-00668-JHM-DW, United States District Court, Western District of Kentucky, Louisville Division (Counsel for Plaintiff in successful §1983 case)
- *Jerome Kunkel, et al. v. NKY Independent Health District, et al.*, Boone Circuit Court, Case No. 19-CI-00357 and Commonwealth of Kentucky, Court of Appeals, Case No. 20-19-CA-000575 (Counsel for Plaintiffs in pending First Amendment case involving religious liberty)

**PAST EXPERIENCE:**

**Freund, Freeze & Arnold**, Cincinnati, Ohio

Partner

**EDUCATION:**

**University of Cincinnati College of Law**, Cincinnati, Ohio

J.D., 1990

**Miami University**, Oxford, Ohio

Bachelor of Zoology, 1987

**ADMISSIONS:**

Supreme Court of Ohio, 1990

Supreme Court of Kentucky, 1993

Supreme Court of the United States, 2003

U.S. Court of Appeals for the Sixth Circuit, 2000

U.S. District Court for the Northern District of Ohio, 2005

U.S. District Court for the Southern District of Ohio, 2002

U.S. District Court for the Eastern District of Kentucky, 1997

U.S. District Court for the Western District of Kentucky, 2011

**HONORS:**

Ohio Super Lawyer, 2007-2021

Best Lawyers in America, 2008-2021, 2018 “Lawyer of the Year” in Insurance Law –  
Cincinnati, OH

Martindale Hubbell, AV Rating for 20 years

**MEMBERSHIPS:**

Cincinnati Bar Association

Ohio State Bar Association

Kentucky Bar Association

Northern Kentucky Bar Association